

84TH CONGRESS
1ST SESSION

H. R. 2685

IN THE HOUSE OF REPRESENTATIVES

JANUARY 20, 1955

Mr. VINSON introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To provide medical care for dependents of members of the Armed Forces of the United States, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Armed Forces Depend-
4 ents Medical Care Act of 1955".

5 SEC. 2. The Congress declares it to be the purpose of
6 this Act to provide a uniform program of medical care for
7 dependents of members of the Armed Forces. The Congress
8 believes that it is sound public policy to provide such a uni-
9 form program of medical care as an important factor in the
10 creation and maintenance of high morale throughout the
11 Armed Forces because it assures military personnel at home

1 and overseas that the medical care of their dependents is
2 being provided for by the Department of Defense.

3 SEC. 3. As used in this Act—

4 (a) The term “member of the Armed Forces” in-
5 cludes—

6 (1) a person, appointed or enlisted in, or inducted,
7 called, or conscripted into, the Army, Navy, Air Force,
8 Marine Corps, or the Coast Guard when operating as
9 part of the Navy, or members of the Reserve com-
10 ponents who have entered on extended active duty in
11 excess of ninety days but not including persons on
12 duty for training purposes only; and

13 (2) a member or former member of the Army,
14 Navy, Air Force, or Marine Corps, who is or has been
15 awarded retired, retirement, or retainer pay or equiva-
16 lent pay as a result of service in the Army, Navy, Air
17 Force, or Marine Corps, other than those entitled to
18 receive retired or retirement pay pursuant to title III
19 of the Army and Air Force Vitalization and Retire-
20 ment Equalization Act of 1948.

21 (b) The term “dependent” includes—

22 (1) in the case of any male member—

23 (A) his lawful wife;

24 (B) his unmarried dependent legitimate chil-
25 dren, adopted children, or stepchildren under twenty-

1 one years of age or such unmarried legitimate
2 children, adopted children, or stepchildren over
3 twenty-one years of age who are incapable of self-
4 support because of being mentally or physically
5 incapacitated and who are in fact dependent on him
6 for over half of their support; and

7 (C) his parents and parents-in-law if in fact
8 dependent on him for over half of their support; and

9 (2) in the case of any female member—

10 (A) her lawful husband, if in fact dependent
11 on her for over half of his support;

12 (B) her unmarried legitimate children, adopted
13 children, or stepchildren under twenty-one years of
14 age if they are in fact dependent on her for over
15 half of their support or such unmarried legitimate
16 children, adopted children, or stepchildren over
17 twenty-one years of age who are incapable of self-
18 support because of being mentally or physically in-
19 capacitated and who are in fact dependent on her
20 for over half of their support; and

21 (C) her parents and parents-in-law if in fact
22 dependent on her for over half of their support.

23 Widows and the dependent children of deceased members of
24 the Armed Forces who were members of the Armed Forces
25 as defined in this Act at the time of death are authorized

1 medical care under the terms of this Act in military medical
2 facilities. Widows and dependent children are not author-
3 ized medical care at Government expense through civilian
4 medical sources and shall not be entitled to medical care after
5 the widow remarries.

6 SEC. 4. Dependents of members of the Armed Forces are
7 authorized to be given medical care in accordance with the
8 provisions of this Act as implemented by regulations pre-
9 scribed by the Secretary of Defense, and approved by the
10 President.

11 SEC. 5. (a) Military medical facilities will be used for
12 the medical care of dependents of members of the Armed
13 Forces subject to the availability of space, facilities, and
14 capabilities of the medical staff. The medical care of de-
15 pendants of members of the Armed Forces provided for in
16 military medical facilities shall in no way interfere with the
17 primary mission of the military medical services to provide
18 proper medical care for military personnel.

19 (b) When military medical facilities are not available or
20 capable of providing the authorized type of treatment re-
21 quired for dependents of members of the Armed Forces or
22 where the situation is of a medical emergency nature, as
23 defined by regulations prescribed by the Secretary of Defense,
24 medical care is authorized at Government expense from duly
25 licensed civilian physicians and surgeons and duly accredited

1 hospital and treatment facilities under civilian control. How-
2 ever, no funds shall be expended for professional services
3 except in accordance with schedules of maximum fees and
4 costs for such professional services established by the Secre-
5 tary of Defense. In establishing such schedules the Secretary
6 of Defense may consult with accredited medical associations
7 and any other agencies which he considers appropriate. The
8 payment for services rendered by hospitals and clinics shall
9 be at rates not in excess of the hospital's or clinic's standard
10 schedule of charges for semiprivate accommodations to the
11 general public or to group-insurance patients (whichever is
12 lower) for the services rendered.

13 SEC. 6. (a) As a restraint on excessive demands for
14 medical attention, dependents receiving medical care shall
15 be responsible for contributing to the costs thereof, as
16 follows:

17 (1) In civilian medical facilities, the dependent shall
18 be required to pay the first \$10 of the cost of each illness
19 (except in maternity cases) and in addition thereto, not in
20 excess of 10 per centum of the total cost;

21 (2) In military medical facilities, charges shall be
22 limited to such amounts, if any, as may be established by
23 the Secretary of Defense pursuant to a special finding that
24 such charges are necessary.

1 (b) The Secretary of Defense shall establish charges
2 for any subsistence given in connection with medical care
3 in military facilities.

4 (c) Any amounts that are received in payment for sub-
5 sistence and medical care rendered dependents in military
6 medical facilities shall be deposited to the credit of the
7 appropriation supporting the maintenance and operation or
8 subsistence of the military medical facilities furnishing the
9 care.

10 (d) Any amounts received in payment for medical care
11 rendered dependents by civilian medical sources shall be
12 deposited to the credit of the appropriation from which the
13 respective payments to civilian medical sources are made.

14 SEC. 7. The Secretary of Defense may, if he finds it more
15 economical, contract for such medical care of dependents
16 under such private insurance plan as he deems appropriate.

17 SEC. 8. Medical care under this Act is limited to the
18 following:

- 19 (a) Diagnosis;
- 20 (b) Acute medical and surgical conditions;
- 21 (c) Contagious diseases;
- 22 (d) Immunization; and
- 23 (e) Maternity and infant care.

24 SEC. 9. Hospitalization shall not be authorized depend-
25 ents of members of the Armed Forces for the following:

- 1 (a) Domiciliary care and chronic diseases;
- 2 (b) Nervous and mental disorders (except for diag-
- 3 nostic purposes) ; and
- 4 (c) Elective medical and surgical treatments as deter-
- 5 mined by the cognizant physician.

6 SEC. 10. (a) Dependents of members of the Armed
7 Forces shall not be provided prosthetic devices, hearing aids,
8 orthopedic footwear, and spectacles, except that outside the
9 continental limits of the United States and at remote stations
10 within the continental limits of the United States where
11 adequate civilian facilities are not available, these items, if
12 available from military stocks, may be provided to depend-
13 ents at prices representing full cost to the Government.

14 (b) Dependents of members of the Armed Forces shall
15 not be provided—

16 (1) ambulance service, except in acute emergency;
17 and

18 (2) home calls, except in special cases where it is
19 determined by the cognizant physician to be medically
20 necessary.

21 SEC. 11. Except outside the continental limits of the
22 United States and in remote areas within the continental
23 limits of the United States where adequate civilian dental
24 facilities are not available, dental treatment for dependents
25 of members of the Armed Forces will be restricted to emer-

1 gency dental care and dental care as a necessary adjunct to
2 medical or surgical treatment. Emergency dental care is
3 defined as the care required to relieve pain and suffering
4 and shall not include any permanent restorative work or
5 dental prosthesis. Dental treatment which may be provided
6 dependents of members of the Armed Forces under this
7 section will be obtained in military dental facilities and will
8 depend upon the availability of space, facilities, and capa-
9 bilities of the dental staff. Dependents of members of the
10 Armed Forces are not authorized dental care at Government
11 expense through civilian dental sources, except as a necessary
12 adjunct to inpatient medical or surgical treatment.

13 SEC. 12. When an individual serving on active duty
14 as a member of the Coast Guard dies while the Coast Guard
15 is operating as a part of the Navy, his widow and dependent
16 children shall be eligible for medical care as if such in-
17 dividual had been a member of the Navy on active duty
18 with the Navy on the date he died.

19 SEC. 13. There are hereby authorized to be appropriated
20 such sums as may be necessary to carry out the provisions
21 of this Act.

22 SEC. 14. (a) The following laws and parts of laws
23 are hereby repealed:

24 (1) So much of the Act of July 5, 1884, ch. 217,

1 23 Stat. 107 as is contained in the proviso under the head-
2 ing "MEDICAL DEPARTMENT".

3 (2) The Act of May 10, 1943 (ch. 95, 57 Stat. 80),
4 except section 4 of such Act.

5 (3) That part of section 326 (b) of the Act of July
6 1, 1944 (58 Stat. 697), which reads as follows: "Such
7 cost shall be at such uniform rate as may be prescribed
8 from time to time by the President for the hospitalization
9 of dependents of naval and Marine Corps personnel at any
10 naval hospital, pursuant to section 2 of the Act of May 10,
11 1943 (57 Stat. 80)."

12 (4) Public Law 108, approved June 20, 1949, to the
13 extent that it authorizes hospital and medical care for de-
14 pendents of the regular and reserve components of the Armed
15 Forces.

16 (b) All laws and parts of laws to the extent that they
17 are inconsistent with the provisions of this Act are hereby
18 repealed.

19 SEC. 15. This Act shall become effective ninety days
20 from the enactment of this Act,

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